

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 25-MJ-02526-LOUIS

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.

TOMAS NIEMBRO,  
Defendant.

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UNOPPOSED MOTION TO CONTINUE HEARING

Mr. Tomas Niembro (“Mr. Niembro”), through undersigned counsel, respectfully moves to continue the hearing currently set for June 30, 2025. [ECF No. 49], and requests that it be reset to July 11, 2025.

1. On March 15, 2025, Mr. Niembro was arrested on a criminal complaint alleging Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. § 1349, and Money Laundering, in violation of 18 U.S.C. § 1956(h). [ECF 3; ECF 4].
2. On March 17, 2025, Magistrate Judge Lauren Fleischer Louis ordered Mr. Niembro released on a \$20 million personal surety bond secured by two properties, and an additional \$2 million bond with 10% down and a *Nebbia* requirement. Relevant here, the Court also imposed a condition of home confinement and location monitoring. [ECF No. 13].
3. On May 6, 2025, the Court held a *Nebbia* hearing. At that hearing, the government accepted Mr. Niembro’s *Nebbia* proffer. The Court accordingly terminated the condition of home confinement and ordered

that Mr. Niembro remain on location monitoring with a curfew from 5:00 PM to 8:00 AM, until further order of the Court. [ECF No. 33]. This arrangement was the result of an agreement between the parties—Mr. Niembro agreed to continue location monitoring as a sign of goodwill and to help assuage any remaining government concerns regarding risk of flight.

4. On June 10, 2025, Mr. Niembro filed a Motion to Modify Conditions of Release requesting that the Court remove the location monitoring requirement, noting his full compliance with all conditions, lack of any violations, and strong family and community ties. [ECF No. 45].
5. On June 24, 2025, the Court set a hearing on that motion for June 30, 2025. [ECF No. 49].
6. Undersigned counsel and co-counsel are unavailable the week of June 30 due to previously scheduled out-of-town travel and other professional obligations. Counsel has conferred with the government, which does not object to this request, and all parties have confirmed that the only mutually available date is July 11, 2025.

**WHEREFORE,** Mr. Niembro respectfully requests that the Court continue the hearing currently set for June 30, 2025, to July 11, 2025.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I HEREBY certify that on June 26, 2025, I filed the foregoing document with the Clerk of Court via CM/ECF, which will serve all counsel of record through the Notices of Electronic Filing or other authorized means for those not receiving electronic notices.

By: /s/ Juan J. Michelen  
Juan J. Michelen